

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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XL SPECIALTY INSURANCE COMPANY,

Plaintiff,

Case No. 14-cv-5225-ANT

- against -

JOHN R. LAKIAN, DIANE W. LAMM, &
KOBRE & KIM LLP

**XL SPECIALTY INSURANCE
COMPANY'S RESPONSE TO
MOTION TO INTERVENE BY
MERRILL COMMUNICATIONS
LLC**

Defendants.

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Interpleader Plaintiff XL Specialty Insurance Company (“XL Specialty”) files this response to the motion to intervene filed by proposed intervenor Merrill Communications LLC (“Merrill”) (Doc. No. 51).

XL Specialty hereby incorporates by reference XL Specialty Insurance Company’s Response to Motions to Intervene by Eiseman Levine, Knox Claimants, and Brief Carmen (Doc. No. 37). Similar to the other proposed intervenors, XL Specialty agrees that Merrill’s motion to intervene should be granted, so it will be bound by the Court’s discharge of XL Specialty and the Court’s injunction of proceedings against XL Specialty related to the Proceeds. However, by agreeing that Merill’s motion to intervene should be granted, XL Specialty is not suggesting that Merrill has any right to the Proceeds.

Respectfully Submitted,

October 24, 2014

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